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| INFORMATION DISCLOSURE STATEMENT PTO-1449 | | ATTY. DOCKET NO.: 39740-0009A | | SERIAL NO.: 10/773,951 | | | |
| | | APPLICANT : David Agus et al. | | | | | |
| | | FILING DATE: February 6, 2004 | | GROUP: 1645 1636 | | | |
| U.S. PATENT DOCUMENTS | | | | | | | |
| EXAMINER'S INITIALS | PATENT NO. | DATE | NAME | CLASS | SUBCLASS | FILING DATE | |
| WS | US 2002/192652 | 12-19-2002 | Danenberg, Kathleen | 435 | 6 | | |
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| EXAMINER'S INITIALS | PATENT NO. | DATE | COUNTRY | CLASS | SUBCLASS | TRANSLATION | |
| | | | | | | YES | NO |
| WS | WO 02/47007 | 6-13-2002 | PCT | G06F | 19/00 | <input type="checkbox"/> | <input type="checkbox"/> |
| WS | WO 02/24867 | 3-28-2002 | PCT | C12N | | <input type="checkbox"/> | <input type="checkbox"/> |
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| WS | Arteaga, C., "The Epidermal Growth Factor Receptor: From Mutant Oncogene in Nonhuman Cancers to Therapeutic Target in Human Neoplasia", Journal of Clinical Oncology, Grune and Stratton, New York, NY US, Vol. 19, No. 18 pp 32S-40S, September 15, 2001 | | | | | | |
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| WS | Godfrey, T. E., et al., "Quantitative mRNA Expression Analysis from Formalin-Fixed Paraffin-Embedded Tissues Using 5' Nuclease Quantitative Reverse Transcription-Polymerase Chain Reaction", The Journal of Molecular Diagnostics, pp 84-91, Vol. 2., No. 2, May 2000 | | | | | | |
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| EXAMINER Walter Schlapkohl | | DATE CONSIDERED 2006-11-22 11:20:49 -05'00' | | | | | |

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



CERTIFICATION

(Attachment to Information Disclosure Statement)

- ☒ 37 C.F.R. §1.97(e)(1). **APPLICANT'S UNDERSIGNED ATTORNEY HEREBY CERTIFIES THAT** each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the statement; or
- ☐ 37 C.F.R. §1.97(e)(2). **APPLICANT'S UNDERSIGNED ATTORNEY HEREBY CERTIFIES THAT** no item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the person signing this certification after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of this statement.

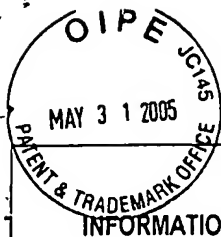
Dated: _____

February 11, 2005

Respectfully submitted,

By: _____

David C. Foster
David C. Foster (Reg. No. 44,685)



Form PTO-1449

Attorney's Docket No.
39740-0009A

Application Serial No.
10/773,951

INFORMATION DISCLOSURE STATEMENT

Applicant(s)

David AGUS, et al.

(use several sheets if necessary)

Filing Date:
February 6, 2004

Group Art Unit:
~~1645~~ 1636

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| Examiner Initials | Ref. No. | Date | Document No. | Name | Class | Subclass | Filing Date (if appropriate) |
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| Examiner Initials | Ref. No. | Date | Document No. | Name | Class | Subclass | Translation | |
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| WS | 1. | 12/27/2002 | WO 02/103320 ✓ | Dai et al. | G01N | | | |
| | 2. | 06/07/2001 | WO 01/40466 | Baker et al. | C12N | 15/12 | | |
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| | 6. | 10/09/2003 | WO 03/083096 | Delaney et al. | C12N | 9/12 | | |
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EXAMINER:

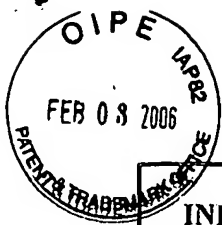
DATE CONSIDERED:

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*If an asterisk is placed beside the reference number, a copy is not provided because the reference was previously cited by or submitted to the PTO in a prior application that is identical in the statement and relied upon for an earlier filing date under 35 U.S.C. §120. 37 C.F.R. §1.98 (d).

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| Form PTO-1449 INFORMATION DISCLOSURE STATEMENT | | Attorney's Docket No. 39740-0009A | Application Serial No. 10/773,951 |
| | | Applicant(s) David AGUS, et al. | |
| (use several sheets if necessary) | | Filing Date: February 6, 2004 | Group Art Unit: 1 6 3 6 1645 |
| WS | 24. | Yan <i>et al.</i> , "Dissecting Complex Epigenetic Alterations in Breast Cancer Using CpG Island Microarrays", Cancer Research, Vol. 61, pp. 8375-7380, December 1, 2001. | |
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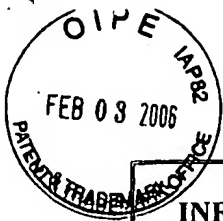
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| *If an asterisk is placed beside the reference number, a copy is not provided because the reference was previously cited by or submitted to the PTO in a prior application that is identical in the statement and relied upon for an earlier filing date under 35 U.S.C. §120. 37 C.F.R. §1.98 (d). | | |
| SV 2125104 v1 | | |



SHEET 1 OF 2

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| INFORMATION DISCLOSURE STATEMENT PTO-1449 | | | ATTY. DOCKET NO. 39740-0009A | | SERIAL NO. 10/773,951 | |
| | | | APPLICANT: David Agus et al., | | | |
| | | | FILING DATE: 2/6/2004 | | GROUP: 1634 1636 | |
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| WS | 2002/0004491 | 1/10/2002 | Jiangchun Xu, et al. | 514 | 44 | |
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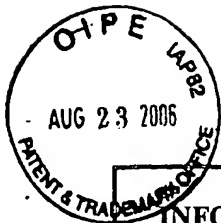
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SHEET 2 OF 2

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| U.S. PATENT DOCUMENTS | | | | | | |
| EXAMINER'S INITIALS | PATENT NO. | DATE | NAME | CLASS | SUBCLASS | FILING DATE |
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| EXAMINER Walter Schlapkohl | | | DATE CONSIDERED 2006-11-22 10:49:32 -05'00' | | | |

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SHEET 1 OF 2

| INFORMATION DISCLOSURE STATEMENT PTO-1449 | | | ATTY. DOCKET NO. 39740-0009 | SERIAL NO. 10/773,951 | | | |
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| | | | APPLICANT: David Agus | | | | |
| | | | FILING DATE: 02/06/2004 | | GROUP: 1636 | | |
| U.S. PATENT DOCUMENTS | | | | | | | |
| EXAMINER'S INITIALS | PUBLICATION NO. | DATE | NAME | CLASS | SUBCLASS | FILING DATE | |
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| WS | 2004/0133352 | 07/08/04 | Bevilacqua et al. | 702 | 19 | | |
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| | WS | 6,618,679 | 09/09/03 | Loehrlein et al. | 702 | 20 | |
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| | | | FILING DATE: 02/06/2004 | | GROUP: 1636 | | | |
| FOREIGN PATENT DOCUMENTS | | | | | | | | |
| Examiner Initials | Ref. No. | Date | Document No. | Name | Class | Subclass | Translation YES NO | |
| WS ↓ ↓ ↓ ↓ ↓ | | 05/04/88 | EP 0 108 564 B1 | Cline et al. | | | N/A | |
| | | 11/26/03 | EP 1 365 034 | Wirtz et al. | | | X | |
| | | 04/12/01 | WO 01/25250 | Slamon et al. | | | X | |
| | | 01/24/02 | WO 2002/006526 | Slamon et al. | | | X | |
| | | 07/03/02 | WO 02/17852 | Warrel et al. | | | X | |
| WS | | 02/13/03 | WO 03/011897 | Singer et al. | | | X | |
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| Examiner Initials | Ref. No. | Title | | | | | | |
| WS | | Brabender, Jan, et al.; <i>Epidermal Growth Factor Receptor and HER2-neu mRNA Expression in Non-Small Cell Lung Cancer Is Correlated with Survival</i> , Clinical Cancer Research; Vol. 7, July 2001; pgs. 1850-1855. | | | | | | |
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| EXAMINER | | Walter Schlapkohl | | | DATE CONSIDERED 2006-11-22 11:18:06 -05'00' | | | |

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